

ORDINANCE NO. 815

AN ORDINANCE OF THE CITY OF CARNATION,
WASHINGTON, AMENDING CHAPTER 15.46 CMC
ACCESSORY DWELLING UNITS; CLARIFYING AND
CROSS-REFERENCING OTHER CODIFIED
REGULATIONS GOVERNING SUCH LAND USES;
PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has established various land use regulations governing Accessory Dwelling Units (ADUs) at Chapter 15.46 CMC; and

WHEREAS, the City desires to amend Chapter 15.46 for the purpose of identifying and cross-referencing ADU-specific provisions codified elsewhere in the CMC, as well as clarifying the purpose and intent of said chapter; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF CARNATION,
WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the above recitals as findings in support of the regulations set forth in this ordinance. The City Council further adopts by reference the findings of the Planning Board dated August 29, 2012, together with the following:

A. The City is authorized by State law, including but not limited to Chapter 35A.11 RCW, Chapter 35A.63 RCW, Chapter 36.70B RCW and Chapter 36.70A RCW, to enact local regulations governing the use and development of real property within the City's jurisdiction.

B. The Planning Board conducted a public hearing on the substance of this ordinance on August 28, 2012, and recommended adoption by the City Council. The City Council held a public hearing on this ordinance on October 2, 2012.

C. The regulations set forth in this ordinance have been processed and considered by the City in material compliance with all applicable procedural requirements, including but not limited to requirements related to public notice and comment.

D. All relevant requirements of SEPA have been satisfied with respect to this ordinance.

E. The City Council has carefully considered, and the regulations set forth in this ordinance satisfy, the review criteria codified at CMC 15.100.030(E).

F. The regulations set forth in this ordinance are consistent with and will implement the City's Comprehensive Plan, and will further advance the public health, safety and welfare.

Section 2. Amendment of CMC 15.46.010. Section 15.46.010 of the Carnation Municipal Code is hereby amended to provide in its entirety as follows:

15.46.010 Purpose.

The purpose of allowing and regulating Accessory Dwelling Units (ADUs) in residential neighborhoods pursuant to this chapter is to promote affordable housing and a range of housing types, to encourage increased density within existing neighborhoods without significantly changing the character of the neighborhoods, and to provide the opportunity for homeowners to gain the extra income necessary to help meet the rising costs of home ownership. To insure that property owners maintain a direct responsibility for and maintenance of the ADU, the owner shall be required to reside on the premises, either in the ADU or in the primary dwelling.

Section 3. Amendment of CMC 15.46.030. Section 15.46.030 of the Carnation Municipal Code is hereby amended by the addition of a new subsection (J) to provide in its entirety as follows:

15.46.030 Development standards general to all ADUs.

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J. Specific provisions for Accessory Dwelling Units are set forth in the impact fee regulations codified at Title 3 CMC and the utility regulations codified at Title 13 CMC. ADUs under this chapter shall comply with all such regulations, as well as any and all other applicable requirements, specifically including without limitation the King County regulations regarding wastewater capacity charges.

Section 4. Copy to Commerce. Pursuant to RCW 36.70A.106, the Planning Director is hereby authorized and directed to provide a copy of this ordinance to the Washington Department of Commerce within 10 days of adoption.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court or tribunal of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Carnation City Council this 2nd day of October, 2012.


MAYOR, JIM BERGER

ATTEST/AUTHENTICATED:


CITY CLERK, MARY MADOLE

FILED WITH THE CITY CLERK:08/30/2012
PASSED BY THE CITY COUNCIL:10/02/2012
PUBLISHED:10/10/2012
EFFECTIVE DATE:.....10/15/2012
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